

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JERMAINE JAMAICA CAMPBELL, SR.,
Petitioner,
v.
WARDEN RUSSELL, *et al.*,
Respondents.

Case No. 3:19-cv-00576-MMD-CSD
ORDER

In this habeas corpus action, Respondents filed their answer to the amended habeas petition on May 25, 2022 (ECF No. 75). Then, after an initial period of 45 days, a 60-day extension of time, a 45-day extension of time, a 35-day extension of time, a 30-day extension of time, and a 21-day extension of time, Petitioner Jermaine Jamaica Campbell, Sr., who is represented by appointed counsel, was due to file his reply by January 18, 2023. (ECF Nos. 9, 78, 81, 83, 85, 86.) In the order granting the second extension, the Court stated: “[R]eviewing the amended petition and the answer, and considering the amount of time that Campbell will have had to file his reply (about five months), *the Court will not look favorably upon any motion to further extend this deadline.*” (ECF No. 81.) In the orders granting the third and fourth extensions, the Court stated: “[T]he Court will not be inclined to further extend this deadline absent extraordinary circumstances.” (ECF No. 83, 85.) In the order granting the fifth extension, the Court stated: “[T]he Court will not further extend this deadline.” (ECF No. 87.)

On January 18, 2023, Campbell filed a motion for extension of time (ECF No. 88 (“Motion”)) requesting an additional seven-day extension to January 25, 2023, for his reply. Campbell’s counsel states that this extension is necessary because she “unexpectedly took sick leave December 28-30, and she has been working on the reply

1 brief in this case while addressing unforeseen case management duties that have arisen
2 over the past three weeks.” (*Id.* at 2.) She also states that she filed a reply in support of
3 a post-conviction petition in state court on January 10, 2023. (*Id.*)

4 Campbell’s counsel makes no mention in this Motion—or in any of her previous
5 motions for extension of time, for that matter—of the Court’s warnings that it does not
6 approve of further delay of this filing.

7 The Court will grant this Motion in the interests of justice, that is, with the hope of
8 resolving this case on its merits with the benefit of a reply from Campbell to Respondents’
9 answer. However, *the Court will not further extend this deadline.*

10 It is therefore ordered that Campbell’s Motion for Extension of Time (ECF No. 88)
11 is granted. Campbell will have until and including January 25, 2023, to file a reply to
12 Respondents’ answer. In all other respects, the schedule for further proceedings set forth
13 in the order entered October 21, 2019 (ECF No. 9) will remain in effect.

14 DATED THIS 19th Day of January 2023.

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17 MIRANDA M. DU
18 CHIEF UNITED STATES DISTRICT JUDGE
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